

NATIONAL TRANSPORTATION SAFETY BOARD

In the Matter of: *
*
CAPSIZING OF THE *
LADY D *
*

Tuesday,
October 26, 2004

INTERVIEW OF:

MICHAEL HOMAN

PRESENT: MORGAN TURRELL
MARIETTE BURER
SCOTT BARANOWSKI
MARK HYLIND
ED NARIZZANO
KEVIN JOHNSTONE
ANDY MURRAY

P R O C E E D I N G S

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MR. TURRELL: Okay. Good afternoon. This is Morgan Turrell. It is noon time, October 26. We are at the Naval Reserve Center. We are going to interview Mike Homan, he was the mate on the Lady D on March 6, 2004.

My name is Morgan Turrell, National Transportation Safety Board and we will go around the room and introduce. To my right?

LIEUTENANT BARANOWSKI: Lieutenant Scott Baranowski. B as in bravo, A-R-A-N-O-W-S-K-I, U.S. Coast Guard, Activities, Baltimore.

MR. MURRAY: Any Murray, Director of National Historic Seaport of Baltimore.

MR. HYLIND: Mark Hyland, M-A-R-K, H-Y-L-I-N-D. Susquehanna Santee Boat Works, Inc.

MR. NARIZZANO: Ed Narizzano, Director of Seaport Taxi.

MR. JOHNSTONE: Kevin Johnstone, J-O-H-N-S-T-O-N-E. NOAA National Weather Service.

MR. TURRELL: And to my left?

MS. BURER: Mariette Burer, B-U-R-E-R, NTSB.

MR. TURRELL: Okay. Mike, if you would just go ahead and introduce yourself and spell your name.

1 MR. HOMAN: My name is Michael Homan,
2 H-O-M-A-N.

3 MR. TURRELL: Okay. And what is your birth
4 date?

5 MR. HOMAN: November 29, 1948.

6 MR. TURRELL: And what is your current
7 position?

8 MR. HOMAN: Unemployed.

9 MR. TURRELL: Where were you on March 6, 2004?

10 MR. HOMAN: About 3:45 I was on the Lady D,
11 serving as mate.

12 MR. TURRELL: Okay. And have you given us a
13 statement before?

14 MR. HOMAN: Yes.

15 MR. TURRELL: And do you recall where that
16 was?

17 MR. HOMAN: I believe it was at the University
18 of Maryland Hospital.

19 MR. TURRELL: Okay. I understand you have some
20 additional remarks, so.

21 MR. HOMAN: Basically, I stand by my original
22 statement as far as what I recalled about the actual
23 accident. I have had an opportunity to observe and
24 listen to statements from other people that I would
25 consider hearsay, that I would like to have either

1 investigated or confirmed or denied as part of the NTSB
2 final report. I had a chance to observe the Coast
3 Guard testing of other similar types of craft.

4 MR. TURRELL: And?

5 MR. HOMAN: I am pretty upset about what I
6 believe I know.

7 MR. TURRELL: Can you elaborate?

8 MR. HOMAN: First of all, I learned that there
9 was an incident about two years prior to this, where a
10 similar type vessel had not completely flipped over,
11 but, it was influenced by the wind, and it was blown
12 against the dock. I am not sure whether there were any
13 injuries, and I don't know how it was reported, but I
14 believe the NTSB knows about it. The vessel was the
15 Revenge.

16 MR. TURRELL: And what do you know about the
17 Revenge?

18 MR. HOMAN: The incident occurred, I would say
19 maybe 50 yards from where the Lady D actually went
20 over, and yet I am roughly thinking it was two years
21 prior to this, or maybe even a year. The boat had been
22 influenced by the wind and actually went up on one
23 side, when it came in close proximity to a dock at the
24 Baltimore Marine Center. And I understand that the
25 boat, the vessel was totaled by the insurance company,

1 so there must have been substantial damage to it. I
2 believe the passengers were able to get off safely
3 through some heroic efforts from the mate, jumping off
4 and tying it so the boat didn't flip over. It wasn't
5 blown further away from the dock. And I believe there
6 were some safety procedures in place, that were put in
7 place after that incident that probably lasted about
8 three months. And probably weren't used after that.
9 But, I don't have the details.

10 MR. TURRELL: Do you know who operates or
11 operated the Revenge?

12 MR. HOMAN: Yes, the captain was Reginald and
13 I don't have his last name.

14 MR. TURRELL: Okay. As far as the company
15 operating the boat, do you know the name of the
16 company?

17 MR. HOMAN: Seaport Taxi.

18 MR. TURRELL: Okay. Anything further?

19 MR. HOMAN: That, I guess that is important to
20 me in that there was prior notice that these boats
21 could be influenced by the wind in a way that makes it
22 unseaworthy. And I was not aware of that incident
23 prior to the accident.

24 MR. TURRELL: Okay.

25 MR. HOMAN: The other thing is how, the way

1 the vessel went over. I have been reading reports in
2 the newspaper and I understand that they give bits and
3 pieces of it, and I got bits and pieces, having been a
4 witness myself, but, after the accident the Captain
5 told me that the bough had dug into a wave and there
6 was approximately three feet of water coming into the
7 boat and the bough of the boat. And I know the wind
8 was to our stern, so the boat in my opinion did not tip
9 over sideways, it actually pitched over where the bough
10 dug in, and lifted it up on its starboard side, and the
11 wind influenced the bottom of the boat and the side.
12 So, there was not any chance of air pockets or
13 anything, it just went over, trapping everybody inside.

14 MR. TURRELL: So, could you elaborate on this
15 pitch, pulling again, as far as, just take it step by
16 step once more?

17 MR. HOMAN: Okay. As we, I will use the
18 diagram.

19 MR. TURRELL: Sure, go ahead.

20 MR. HOMAN: Can you record it when I am up
21 there?

22 MR. TURRELL: Oh, go ahead.

23 MR. HOMAN: This would be the dock from where
24 we pulled out.

25 MR. TURRELL: Okay.

1 MR. HOMAN: The bough in.

2 MR. TURRELL: Right.

3 MR. HOMAN: Now I am was closed in a door, so
4 I was looking this way, I am not sure whether the --
5 backed up to our starboard, but at some point I
6 finished closing door and we were heading forward.

7 MR. TURRELL: Okay.

8 MR. HOMAN: There is obstructive here, this
9 would be west, is that right?

10 MR. TURRELL: Yes, roughly.

11 MR. HOMAN: Here, as we come this way, I am
12 not certain exactly where we were in the harbor,
13 because I can't see when I am high up the boat, it is
14 raining. At some point I can see the surface of the
15 water.

16 MR. TURRELL: Okay.

17 MR. HOMAN: Feel where the wind blowing.
18 Understand I am on the back of it. So, I see the
19 Captain turning to starboard very slowly. He seemed to
20 struggle against the wind. And the wind is blowing, in
21 my opinion, from the west.

22 MR. TURRELL: Okay.

23 MR. HOMAN: So, as we get to this point, the
24 wind is directly behind us and I can see by the --
25 water surfaces through experience, the captain starts

1 to turn again to the starboard and then as he tries
2 that, the boat lifts up on the starboard side.

3 MR. TURRELL: Okay. Now, that is, you said the
4 boat was lifting on the starboard side.

5 MR. HOMAN: We are cutting, we are going, the
6 wind is to our stern, kind of making the starboard
7 thing.

8 MR. TURRELL: Right.

9 MR. HOMAN: The boat lifts up on the starboard
10 side.

11 MR. TURRELL: Okay.

12 MR. HOMAN: At that point, the passengers on
13 the port side automatically get up and go to the
14 starboard side, which levels the boat.

15 MR. TURRELL: So you are saying the passengers
16 on the port side moved to the starboard side.

17 MR. HOMAN: Right.

18 MR. TURRELL: Okay.

19 MR. HOMAN: Enough so that they level the boat
20 back.

21 MR. TURRELL: Okay.

22 MR. HOMAN: Probably seconds after that, I see
23 the captain again trying to make a starboard turn, and
24 as he does that, excuse me, in-between that and, or
25 right after that incident, I make sure everybody gets

1 back into their seats. As he turns again to the
2 starboard side, I can see him, the boat lifts up again
3 on the starboard and at that point, I say everybody up
4 on the high side, which at that point the boat goes up
5 so far, that everybody flies down on the port side.
6 And then after that I was knocked out and --

7 MR. TURRELL: Okay. Can you, just from where
8 you were, can you, after now thinking about it, where
9 exactly you were standing in the boat when it finally
10 flipped over?

11 MR. HOMAN: I was probably, I don't know, two
12 seats from the stern.

13 MR. TURRELL: Okay.

14 MR. HOMAN: And -- Now after the accident, the
15 captain tells me that there were about three, three
16 feet of water coming in on the bough, and he is telling
17 me that the bough was digging into the wave, which
18 leads me to believe that the boat pitched foward.

19 MR. TURRELL: Okay. When you were, when the
20 captain was turning, do you recall the captain being on
21 the radio at all?

22 MR. HOMAN: No.

23 MR. TURRELL: No.

24 MR. HOMAN: I was too far back, I couldn't
25 see.

1 MR. TURRELL: Okay.

2 MR. HOMAN: And also later on he told me that
3 he was heading for Bay Cafe rather than the Fort
4 McHenry, which I believe he was making a turn to go
5 back to the Fort.

6 MR. TURRELL: Okay. When you flipped over, can
7 you recall anyone hitting you or any passenger coming
8 into contact with you, do you recall?

9 MR. HOMAN: No, but, I recall that I hit the
10 window very hard and I can assume that I was knocked
11 out because I don't remember that much afterwards,
12 except when the boat was upside down, I saw a gap of
13 air, and I had time enough to take one last breath.

14 MR. TURRELL: Okay. So, when you hit the
15 window, the window gave way and you went through the
16 window or --

17 MR. HOMAN: I was trapped in the boat.

18 MR. TURRELL: Okay.

19 MR. HOMAN: Now I was disoriented, so, when I
20 was struggling, I was actually, the boat was upside
21 down, and the aluminum and the benches are on the top
22 now.

23 MR. TURRELL: Right.

24 MR. HOMAN: The windows are down below, so I
25 am like pounding against the aluminum, when I was

1 thinking, I was pounding against the window.

2 MR. TURRELL: Okay.

3 MR. HOMAN: So, I was disoriented.

4 MR. TURRELL: Do you recall how you actually,
5 finally grasped out of the vessel, was it through a
6 window or through the door?

7 MR. HOMAN: I, I had given up, I mean, I
8 passed out, and the next thing I know, I was on top of
9 the boat with my glasses torn off. And I didn't know
10 how I got out of the boat for three days after the
11 accident.

12 MR. TURRELL: Okay.

13 MR. HOMAN: The reason I think it is important
14 that be verified is that when I observed the Coast
15 Guard testing the boat, all I see is them putting
16 barrels and doing static testing, that only would, you
17 know, try to prove that all the passengers got over to
18 one side of the boat, that it would flip so much that
19 it would be dangerous. But, I haven't observed any
20 testing that would confirm or deny that these boats are
21 dangerous in a pitch situation.

22 MR. TURRELL: Okay. First off, are you,
23 anything said, or --

24 MR. HOMAN: Yeah, and again this is hearsay
25 information, but I have spoken with other captains that

1 have experience operating the vessel somewhere to this,
2 and heavy wind situations, and they have told me these
3 boats will not point into the wind. I was just going
4 to add, probably, I would assume they are talking about
5 over 20 knots of wind.

6 MR. TURRELL: Okay.

7 MR. HOMAN: I have personally have not
8 operated a boat in that kind of wind conditions. I have
9 a lot of experience in storms on my own sailboat, and I
10 know that the bough can go into the wind, so I was
11 wondering why the captain didn't do the same thing. I
12 think the boat couldn't go any more, I don't know.

13 MR. TURRELL: Okay.

14 MR. HOMAN: The other thing is that I have a
15 lot of experience sailing catamarans, and catamarans
16 sailboats are, you know, you can expect them to flip,
17 the cautions that we take is you either put a, some
18 boats have a styrofoam ball in the mast, in the top of
19 the mast, others fill the mast up with styrofoam,
20 enough to keep the buoyance of the mast, to keep it
21 from turning turtle like, you know, like the Lady D
22 did. I don't know why -- styrofoam could not be
23 installed in the roof lining of these pontoon boats
24 that would prevent them from turning turtle. I would
25 like to have somebody look into that.

1 MR. TURRELL: Okay.

2 MR. HOMAN: And the reason why that is so
3 dangerous is you don't have any time to put your life
4 jackets on. You don't have any time to react. The boat
5 is turning over.

6 MR. TURRELL: Okay.

7 MR. HOMAN: And it would be interesting,
8 interested to know if the manufacturer ever tested
9 these boats other than relying on the Coast Guard.

10 MR. TURRELL: Okay. Anything else to add?

11 MR. HOMAN: That is everything, all my
12 concerns.

13 MR. TURRELL: Okay. We will go around and ask
14 questions. Mariette?

15 MS. BURER: You were talking about the
16 captain, how many times did he turn, do you recall?

17 MR. HOMAN: I only observed the slow turn to
18 the starboard.

19 MS. BURER: How many times?

20 MR. HOMAN: Just once.

21 MS. BURER: Just once. Okay. And then he was
22 heading towards, where do you believe he was heading
23 towards?

24 MR. HOMAN: Well, I, at that point, I believed
25 he was heading back to the Fort.

1 MS. BURER: Okay.

2 MR. HOMAN: He later told me that he was
3 heading for Bay Cafe.

4 MS. BURER: And where is Bay Cafe?

5 MR. HOMAN: Completely across the harbor.

6 MS. BURER: Okay.

7 MR. HOMAN: In the most exposed portion of the
8 harbor for that type of wind.

9 MS. BURER: Okay. Do you recall when the
10 passengers moved the first time to starboard side, did
11 they do that voluntarily or --

12 MR. HOMAN: Yes.

13 MS. BURER: Okay. So it wasn't like you asked
14 them, like you did the --

15 MR. HOMAN: No, not the first time.

16 MS. BURER: Okay. The windows, do you recall
17 what situation was with the windows, if they were open
18 or closed throughout the --

19 MR. HOMAN: I am sure that they were all
20 closed.

21 MS. BURER: Okay. And then the back door of
22 the pontoon, can you tell me about the integrity of the
23 back door?

24 MR. HOMAN: It was closed also.

25 MS. BURER: It was closed. And are there any

1 kind of problems with the back door as far as normal,
2 under normal circumstances, does it function the way
3 that it is suppose to, properly function?

4 MR. HOMAN: Yeah, in fact, maybe a day or two
5 before this accident, I had prepped the boat for a
6 Coast Guard inspection, and I believe it was scheduled
7 for the following Monday, so I am almost certain that
8 everything was opening and closing properly with the
9 exception of the front door, which was very hard to
10 close. It was easy to open, but hard to close.

11 MS. BURER: Okay. Then do you recall any kind
12 of water inside the pontoon boat at any time during
13 your travels throughout the day?

14 MR. HOMAN: Yes, there was. There was a screw
15 hole in one of the plates, where the screw or bolt had
16 popped out, or it could have been out, but, I think we
17 found it on the floor, and there was water squirting
18 through that, coming out about two feet and getting
19 people wet. So, somebody told me about, so I went back
20 and checked it out.

21 MS. BURER: Do you know when that occurred?

22 MR. HOMAN: I am just going to guess about one
23 o'clock.

24 MS. BURER: Okay.

25 MR. HOMAN: It was a front that came through

1 before this front as we were heading into the land on
2 that front, and it was raining, the seas were kind of
3 choppy, so, the boat, I believe we were fully loaded or
4 close to be loaded, and the boat was in the water.

5 MS. BURER: Do you guys have a particular
6 protocol in place for as far as passenger count or how
7 do you keep track of how many passengers are onboard
8 for that particular journey?

9 MR. HOMAN: It depends where you are, being at
10 the Fort, we had a Fort coordinator, that actually,
11 because the Fort requires us to make sure that no new
12 passengers get on there. People parking cars and
13 leaving them. So, there is a count that is kept at the
14 Fort. The mate does the count, head count and I
15 believe the captain can make a head count himself, he
16 doesn't, you know, if he feels the boat is being
17 overloaded, and the mate has not done his job, then he
18 might do his own count. Or if you have time and you
19 are sitting there, we could do a head count.

20 MS. BURER: Right.

21 MR. HOMAN: So, there is a possibility of
22 doing up to three to four head counts before you leave,
23 if there is a question about the boat being
24 overloaded.

25 MS. BURER: Okay. All right. I am okay for

1 right now.

2 MR. TURRELL: Okay. Scott?

3 LIEUTENANT BARANOWSKI: Lieutenant Baranowski,
4 Coast Guard. Do you hold a Coast Guard --

5 MR. HOMAN: Yes, I have a 50 ton Coast Guard.

6 LIEUTENANT BARANOWSKI: Do you go -- vessels
7 and see what that is about?

8 MR. HOMAN: Yes. With and without passengers,
9 with the supervision of a captain.

10 LIEUTENANT BARANOWSKI: Okay. By yourself?

11 MR. HOMAN: Only after the accident, and there
12 were no passengers on the boat, I was just ferrying the
13 boat from the Inner Harbor down to Anchor Bay --

14 LIEUTENANT BARANOWSKI: And do you know why --

15 MR. HOMAN: Why --

16 LIEUTENANT BARANOWSKI: If you hold a master's
17 license --

18 MR. HOMAN: Well, I was a mate, I was
19 scheduled to be a captain, in fact, this was part of my
20 training, eventually I was to be a captain of the Lady
21 D a week or two after this accident.

22 LIEUTENANT BARANOWSKI: Okay. When you
23 described the boat on the chalkboard, can you in your
24 own words define what you consider a pitched --

25 MR. HOMAN: Pitched is when the bough digs in,

1 and the stern went south and actually it would go up
2 rather than sideways, you go bough, bough over, on an
3 angle.

4 LIEUTENANT BARANOWSKI: Okay. And would --

5 MR. HOMAN: When the captain told me that the
6 bough was digging in, three or four feet of water were
7 in the bough of the boat.

8 LIEUTENANT BARANOWSKI: Did you ever see this
9 water in the bough of the boat?

10 MR. HOMAN: No.

11 LIEUTENANT BARANOWSKI: When you left, was
12 there any water in the bough of the boat, when you left
13 the one dock?

14 MR. HOMAN: Oh, I am talking about at the time
15 of the accident.

16 LIEUTENANT BARANOWSKI: Right.

17 MR. HOMAN: I have seen the bough dig in the
18 water, but it was entirely different situation. But,
19 they do ride very low, or this particular boat rides
20 low.

21 LIEUTENANT BARANOWSKI: You said the doors and
22 windows were closed, how do you think the water came in
23 the bough?

24 MR. HOMAN: There is scuppers along the deck,
25 probably two inches high, so it is not a fully

1 enclosed, so if water does come in, it will drain right
2 off.

3 LIEUTENANT BARANOWSKI: Okay. And you were
4 near the starboard, did you notice any water in the
5 stern?

6 MR. HOMAN: The floors were wet, I wouldn't
7 say there was water coming anywhere, before we went
8 out.

9 LIEUTENANT BARANOWSKI: No further questions.

10 MR. TURRELL: Andy?

11 MR. MURRAY: No questions. I think some of
12 the, just a statement, I think some of the suggestions
13 are good. And the Revenge incident that Mr. Homan
14 mentioned, was mentioned in my statement, the evening
15 of the accident to the Investigator-In-Charge at that
16 time.

17 MR. TURRELL: Okay.

18 Mark?

19 MR. HYLIND: Mark Hylind for Susquehanna
20 Santee Boat Works.

21 A couple of questions. Do you know what
22 speed the captain was traveling at when you were
23 digging into the bough?

24 MR. HOMAN: I would assume that, well, we are
25 suppose to be doing six knots. And so I would think

1 it would have to have been over six knots because --
2 regular reports up to anywhere to 50 to 80 knots of
3 wind pushing us back, so, all I can say is it has got
4 to be over six knots.

5 MR. HYLIND: Okay. Would it be prudent for a
6 captain to drive a vessel faster than six knots when he
7 sees the seas coming over the bough to the tune of
8 three feet, in your opinion?

9 MR. HOMAN: It would be prudent to back off
10 your engines, and maybe even put them in reverse.

11 MR. HYLIND: What kind of windows were onboard
12 that vessel?

13 MR. HOMAN: They were sliding, I believe,
14 aluminum cranes, with, I believe it was glass, probably
15 it is plexi glass.

16 MR. HYLIND: Do you think all the windows were
17 plexi glass?

18 MR. HOMAN: Yes.

19 MR. HYLIND: I am not 100 percent sure exactly
20 where the incident took place, but from Fort McHenry to
21 the Bay Cafe, wouldn't the wind in the direction that
22 you described, probably be coming from the port side at
23 all times?

24 MR. HOMAN: Yes, if you are going straight
25 across, yes. That is correct.

1 MR. HYLIND: And how about from the place of
2 the incident, would you still be going along the port
3 side to the Bay Cafe?

4 MR. HOMAN: Well, say that the captain was
5 turning the boat to starboard, so, he was going down
6 wind at the time of the accident.

7 MR. HYLIND: So, he was heading back towards
8 the Bay Cafe.

9 MR. HOMAN: I thought he was heading towards
10 the Fort, to make a loop, to go back to the Fort.

11 MR. HYLIND: All right. There was an incident
12 where the vessel rose on the starboard side, and the
13 passengers instinctly went across to sit on the high
14 side, is that correct?

15 MR. HOMAN: Well, there was no place,
16 everybody was, there was no place to sit, they got up
17 and put their weight over to the starboard side.

18 MR. HYLIND: And --

19 MR. HOMAN: I mean, you are talking eight feet
20 here.

21 MR. HYLIND: Right.

22 MR. HOMAN: So --

23 MR. HYLIND: Now did somebody give the
24 instruction to do that or did people instinctly move?

25 MR. HOMAN: The first time, they instinctly

1 moved, went to the high side.

2 MR. HYLIND: Wouldn't the instinct be for
3 people to leave the area where they are being elevated
4 from and go to the port side instead?

5 MR. HOMAN: I don't think so, no.

6 MR. HYLIND: You said that the water was
7 coming up through a hole in the floor, and you also
8 mentioned that the boat rode low in the water. Was
9 that, did the boat ride low in the water in your
10 opinion on a flat day?

11 MR. HOMAN: No. If it was fully loaded, it
12 depends on the weight of the passengers. Sometimes you
13 get passengers that weight over 300 pounds, them alone
14 could lisp the boat if there is nobody sitting on the
15 other side, so it depends on how many passengers you
16 have and how they are distributed.

17 MR. HYLIND: When you boarded people that day,
18 did you assign seats to passengers based on weight?

19 MR. HOMAN: No, no.

20 MR. HYLIND: Could it be that the passengers
21 boarded were heavier by weight and therefore, all sat
22 on one side in the very beginning of the seating
23 arrangement?

24 MR. HOMAN: No, I felt, mostly all times
25 during that particular day, that the boat was riding

1 level.

2 MR. HYLIND: If you had --

3 MR. HOMAN: But, that is not to say the
4 captain didn't shuffle people around when I was not
5 aware of that.

6 MR. HYLIND: Okay. When you do board, do you
7 board by head count or do you board by weight of
8 person?

9 MR. HOMAN: Head count.

10 MR. HYLIND: Head count. If there were, what
11 was the capacity of this particular vessel?

12 MR. HOMAN: Twenty five, including the two
13 crew.

14 MR. HYLIND: Okay. So you would board 23
15 people. If all 23 people had came onboard were 300
16 pounds, would you still permit 23 people to board?

17 MR. HOMAN: I wouldn't, and I don't believe
18 the Captain would have.

19 MR. HYLIND: Okay. I don't have any other
20 questions. Thank you.

21 MR. TURRELL: Okay. Ed?

22 MR. NARIZZANO: No questions.

23 MR. TURRELL: Kevin?

24 MR. JOHNSTONE: Can you describe what you had
25 for some other information before the --

1 MR. HOMAN: I had a wind gauge, one of those
2 hand held, I forget the manufacturer, but it has a
3 little wheel that blows around, and I also had some a
4 brand, a standard horizon Marine hand held radio that
5 is clipped onto my belt and I had a headset. I was
6 monitoring the weather the whole day off and on and
7 checking the wind. Again, we had a front go through
8 that day, winds, so I had checked the wind before we
9 left with my hand held wind gauge, and at the point we
10 were at the fire dock before we left, I read 13 knots.

11 MR. JOHNSTONE: Okay. And --

12 MR. HOMAN: But, that is not required of a
13 mate to do that, you know, I would have all that gear
14 because I was going to be a captain, and had it on me,
15 so --

16 MR. JOHNSTONE: Is there a typical weather
17 limitation, or threshold where you decide not to go
18 out?

19 MR. HOMAN: Yeah, but that would be up to the
20 main office, I believe. I can only speak for myself.
21 Blowing 30 knots, I wouldn't be out there.

22 MR. JOHNSTONE: Okay. That is all I have.

23 MR. TURRELL: Mike, do you recall a time when
24 a captain did not operate the boat, in other words,
25 made the decision not to take the boat out for weather

1 purposes?

2 MR. HOMAN: I didn't personally --

3 MR. TURRELL: And --

4 MR. HOMAN: With the exception of a
5 thunderstorms, one time when we tied up and waited the
6 storm to pass in the Inner Harbor, so, I guess the
7 answer is yes, I did observe that.

8 MR. TURRELL: Okay. So, can you describe how
9 that takes place?

10 MR. HOMAN: If you observe thunder and
11 lighting, you are suppose, I believe the rules were to
12 pull over to the closest bulkhead. Since the situation
13 I am talking about we were already tied up when the
14 lighting occurred, we just stayed tied up.

15 MR. TURRELL: Okay.

16 MR. HOMAN: I would like to add